

Message Text

CONFIDENTIAL

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42

ACTION ARA-20

INFO OCT-01 ISO-00 COA-02 DLOS-07 USIE-00 EB-11 COME-00

TRSE-00 DOTE-00 INT-08 CG-00 AID-20 IGA-02 OMB-01

IO-14 DRC-01 SSO-00 NSCE-00 INRE-00 CIAE-00 DODE-00

PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01

PRS-01 SP-03 SS-20 (ISO) W
----- 007518

O R 031655Z MAY 74

FM AMEMBASSY QUITO

TO SECSTATE WASHDC IMMEDIATE 0925

INFO AMCONSUL GUAYAQUIL

C O N F I D E N T I A L QUITO 2942

E.O. 11652: GDS

TAGS: EFIS, PBOR, PFOR, EC, OS

SUBJECT: REPORTED GOE FISHING REGULATION

REF: (A) STATE 089614; (B) STATE 089887; (C) QUITO 2924

1. DCM MADE PRESENTATION CONTAINED REF (A) TO ACTING FONMIN VALDEZ LATE AFTERNOON MAY 2. VALDEZ SAID THAT HE UNDERSTOOD OUR CONCERN, THAT HE HAD HEARD OF THE IDEA OF A LIMITATION TO UNDER 1,000 NET TONS REGISTRATION BUT THAT HE HAD NOT HEARD THAT THERE WAS CONSIDERATION FOR LIMITING TONNAGE TO BELOW 500 TONS. HE SAID THAT A THOUSAND TON LIMITATION WOULD ONLY EXCLUDE TWO-U.S. BOATS WHICH NORMALLY FISH IN ECUADOREAN WATERS. HE ADDED THAT HE WOULD LOOK INTO THE MATTER IMMEDIATELY.

2. DCM POINTED OUT THAT ANY LIMITATION WHICH EXCLUDED U.S. BOATS AUTOMATICALLY, EVEN IF IT WERE ONLY TWO BOATS, WOULD PROBABLY HAVE NEGATIVE EFFECT ON POSSIBLE INDUSTRY-TO-INDUSTRY FISHING TALKS.

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3. DCM MENTIONED INFORMALLY THAT WE HAVE HEARD THAT

AMBASSADOR QUEVEDO HAD SPOKEN OF A PRIOR USG-GOE UNDERSTANDING THAT ANY AGREEMENT WOULD BE FULLY SUBJECT TO ECUADOR'S "LEGAL AND JURIDICAL SYSTEM" (REF B). WE WERE NOT QUITE CLEAR ON WHAT AMBASSADOR QUEVEDO MEANT BY THIS BECAUSE IT IS EVIDENT THAT THE ECUADOREAN FISHING INDUSTRY COULD NOT BE PARTY TO A CONTRACT THAT WAS NOT SUBJECT TO ECUADOREAN LAW. VALDEZ SAID THAT HE HAD BEEN TALKING ON THE TELEPHONE WITH AMBASSADOR QUEVEDO EARLIER IN THE WEEK AND QUEVEDO HAD RAISED THE SAME SUBJECT. VALDEZ SAID THAT HE MADE THE SAME POINT TO QUEVEDO AND THAT HE TOO DID NOT UNDERSTAND WHAT QUEVEDO WAS GETTING AT, THUS IMPLYING THAT QUEVEDO MAY NOT HAVE BEEN ACTING ON SPECIFIC INSTRUCTIONS.

4. ON THE EVENING OF MAY 2, AND EMBOFF ENCOUNTERED OSWALDO RAMIREZ, DIRECTOR OF THE DEPARTMENT OF TERRITORIAL SOVEREIGNTY OF THE FOREIGN OFFICE, AND MENTIONED THE POSSIBLE 500 TON LIMITATION. RAMIREZ SAID THAT IT WAS STILL BEING CONSIDERED AT THE WORKING LEVEL AND THAT NO DECISION WOULD BE FORTHCOMING PROBABLY FOR TWO OR THREE WEEKS SINCE FINAL ACTION WOULD HAVE TO BE IN THE FORM OF A PRESIDENTIAL DECREE.

5. COMMENT: ACTING FONMIN VALDEZ APPEARED SINCERELY SYMPATHETIC TO OUR CONCERNS WITH RESPECT TO TONNAGE LIMITATION AND WILL NO DOUBT PASS THEM ON TO THE APPROPRIATE OFFICIALS OF THE MINISTRY OF NATURAL RESOURCES AND THE NAVY. WE WILL, HOWEVER, MAKE THE SAME PRESENTATION TO SUB-SECRETARY RIVADENEIRA AS SOON AS AN APPOINTMENT CAN BE MADE. WITH REGARD TO AMBASSADOR QUEVEDO'S WISH FOR A US-GOE UNDERSTANDING ON AN AGREEMENT FULLY UNDER ECUADOREAN LAW, THIS MAY TURN OUT NOT TO BE AN ISSUE.
BREWSTER

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